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MEMORANDUM ENDORSED

December 11, 2024

Via ECF

Honorable Gregory H. Woods
United States District Judge
United States District Court
Southern District of New York
United States Courthouse
500 Pearl Street – Courtroom 12C
New York, New York 10007-1312

Re: Kiran Vuppala v. Taim Restaurant Holdings LLC, Margi
Holding Corp. and 45 Spring Owners Corp.
United States District Court
Southern District of New York
Case No. 24-cv-01742-GHW

Honorable Judge Woods:

This firm represents Defendant 45 Spring Owners Corp. (“45 Spring”) in the above-referenced matter.

Per this Court’s Mediation Referral Order [Dkt. #36], on December 3, 2024, the parties had a pre-mediation conference with the mediator. Per that conference, the mediation is scheduled for January 13, 2025, at 10:00 a.m. The parties are cautiously optimistic that the case can be resolved prior to or at the mediation.

Therefore, counsel for all parties jointly request that the Court adjourn the Initial Pretrial Conference [Dkt. #7], currently scheduled for December 19, 2024, at 3:00 p.m. to a date and time convenient for the Court after January 13, 2025.

Also, in light of the upcoming mediation, 45 Spring respectfully requests an extension of time to answer, move, or otherwise respond to the Amended Complaint, from the current due date of December 17, 2024, through and including January 17, 2025.

This is 45 Spring’s fifth request to extend its answer deadline and is with the consent of counsel for all parties. The first request was by letter motion dated and filed on June 17, 2024 [Dkt. #26], which the Court granted by Memorandum Endorsed Order dated

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and entered on June 17, 2024 [Dkt. #27]. The second request was by letter motion dated and filed on July 18, 2024 [Dkt. #30], which the Court granted by Memorandum Endorsed Order dated and entered on July 19, 2024 [Dkt. #31]. The third request was by letter motion dated and filed on September 19, 2024 [Dkt. # 33], which the Court granted by Memorandum Endorsed Order dated and entered on September 19, 2024 [Dkt. # 34]. The fourth request was by letter motion dated and filed on November 1, 2024 [Dkt. # 39], which the Court granted by Memorandum Endorsed Order dated and entered on November 1, 2024 [Dkt. # 40].

Next, 45 Spring respectfully requests an extension of time to answer, move or otherwise respond to the crossclaim (the "Crossclaim") by Defendant Taim Restaurant Holdings LLC ("Taim") against 45 Spring contained in Taim's Answer to the Amended Complaint, from the current due date of December 17, 2024, through and including January 17, 2025.

This is 45 Spring's fifth request to extend the time to answer the Crossclaim and is with the consent of counsel for all parties. The first request was by letter motion dated and filed on June 21, 2024 [Dkt. #28], which the Court granted by Memorandum Endorsed Order dated and entered on June 14, 2024 [Dkt. #29]. The second request was by letter motion dated and filed on July 18, 2024 [Dkt. #30], which the Court granted by Memorandum Endorsed Order dated and entered on July 19, 2024 [Dkt. #31]. (The July 19th Order did not make specific reference to extending the time to answer the Crossclaim, but in my telephone call to Chambers on July 21, 2024, I was advised that the Order could be interpreted as extending 45 Spring's time to answer the Crossclaim, as well as the Amended Complaint, to September 20, 2024.) The third request was by letter motion dated and filed on September 19, 2024 [Dkt. # 33], which the Court granted by Memorandum Endorsed Order dated and entered on September 19, 2024 [Dkt. #34]. The fourth request was by letter motion dated and filed on November 1, 2024 [Dkt. #39], which the Court granted by Memorandum Endorsed Order dated and entered on November 1, 2024 [Dkt. #40].

45 Spring is the owner solely of the residential portion of the subject building, not the commercial portion, which is the subject of this action. 45 Spring will participate in the mediation. However, to avoid additional expense to the residential shareholders, we respectfully ask the Court for one more extension of time to see if the matter can be resolved in mediation before they have to incur more expense and time on a property over which they have no control and in which Taim Restaurant is the tenant of Margi Holding, not 45 Spring.

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These requests do not interfere with any other scheduled dates

Wherefore, I respectfully request that the Court grant this letter motion.

Thank you.

Respectfully submitted,

/s/Jeffrey C. Chancas
JEFFREY C. CHANCAS

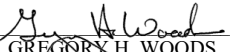
Application granted. The parties' December 11, 2024 request to adjourn the initial pretrial conference, and the request by Defendant 45 Spring Owners Corp. ("45 Spring") for an extension of time to answer or otherwise respond to the Amended Complaint and Cross Claim, Dkt. No. 42, are both granted.

The initial pretrial conference scheduled for December 19, 2024 is adjourned to January 30, 2025 at 12:00 p.m. The joint status letter and proposed case management plan described in the Court's March 7, 2024 order are due no later than January 23, 2025.

Defendant 45 Spring's deadline to answer or otherwise respond to the Amended Complaint and Cross Claim is extended to January 17, 2025. The Clerk of Court is directed to terminate the motion pending at Dkt. No. 42.

SO ORDERED.

Dated: December 11, 2024
New York, New York


GREGORY H. WOODS
United States District Judge